

ARTICLE ATTACHED
ON PAGE 3

NEW YORK TIMES

1 June 1986

PRESS WELCOMES COOPERATION PLEA

But Some Are Wary of C.I.A. Consultation on Publishing Information on Spying

By ALEX S. JONES

Special to The New York Times

Many journalists welcomed Thursday's call by Government officials for "cooperation" regarding disclosure of sensitive information by news organizations, which the journalists said was a softening of recent threats to prosecute news organizations under espionage law.

But many journalists said they were wary of the suggestion made Thursday by William J. Casey, who heads the Central Intelligence Agency, that news organizations should contact the C.I.A. for consultation before publishing information involving intelligence-gathering techniques.

"I think it's fine that they will be available for comment, but if they're talking about clearance, that's a completely different matter and that's totally objectionable," said Michael G. Gartner, the general news executive for the Gannett Company, who is president of the American Society of Newspaper Editors.

And there is concern among some journalists that the Government's recent warnings about security violations by news organizations may lead the public to confuse legitimate coverage of intelligence gathering with the release of damaging secrets. They say that news organizations have demonstrated for many years that they are receptive to legitimate security concerns and extremely unlikely to disclose any material that damages national security.

Tension Termed Inevitable

Even with a new spirit of cooperation, many journalists said that tension between the nation's intelligence apparatus and news organizations is inevitable, because intelligence agencies have a mandate to keep secrets and the mandate of news organizations is to publish as much information as possible, short of jeopardizing national security.

"I don't think you can avoid the essential conflict in what they do and what we do," said Louis D. Boccardi, the president of The Associated Press. "Like any journalist, I am opposed to government intervention, threats, and control, but I also think that a journalist has the responsibility to listen to legitimate security concerns."

In an interview with The Associated Press on Thursday, Mr. Casey and Lieut. Gen. William E. Odom, the director of the National Security Agency, said that the intelligence agencies wanted to "work with" journalists regarding the publication of sensitive information on intelligence gathering.

In recent weeks, Mr. Casey had threatened to seek prosecution of news organizations for disclosing sensitive information and requested that the Justice Department bring charges against NBC after the network reported the name of a United States eavesdropping operation inside Soviet harbors.

Warning on 'Speculation'

The interview came one day after Mr. Casey and General Odom had issued a statement cautioning news organizations against "speculation" and publishing "not authorized disclosures" in their coverage of the trial of Ronald W. Pelton, a former employee of the National Security Agency charged with selling intelligence-gathering secrets to the Soviet Union.

While many journalists said the warning was an understandable expression of concern for national security, the statement aroused concern among some journalists and civil libertarians who said it represented a dangerous intrusion by the Government into the process of deciding what is and is not published.

"I'm confident that the press will not print genuine, high-level, technical details with respect to the gathering of intelligence," said Floyd Abrams, a lawyer who specializes in First Amendment issues, "but the issuance of blunderbuss warnings against 'speculation' and about what material is 'authorized' can only interfere with and threaten the ability of the public to learn information indispensable for its security."

Edward P. Djerejian, a White House spokesman, said Friday that it was a mistake to use the word "speculation" in the Casey-Odom warning because it might mistakenly imply that the Administration favored press censorship. But Mr. Djerejian said the White House was in "full agreement with the thrust of the statement," and Kathy Pherson, a spokesman for the C.I.A., said that it would be a mistake to view Mr. Casey's appeal for cooperation as representing a change in his views.

Trials a Particular Problem

To some journalists, the Casey-Odom statement was particularly alarming because it seemed aimed at limiting coverage of a trial.

News coverage of trials has generally included context and amplification that goes beyond reporting testimony in order to clarify the issues and, in some cases, to challenge what is being said in court. Some journalists say that, under Mr. Casey's guidelines, full coverage of the Pelton trial could be very risky.

"If you go out and try to independently verify information that is being presented in the courtroom in order to either understand it better or to challenge what the Government is presenting in evidence, you are doing what a courtroom reporter should do to amplify and explain the trial, but you will do so at your own peril," said Jane Elizabeth Kirtley, the executive director of the Reporters Committee for Freedom of the Press, a nonprofit organization concerned with preserving First Amendment freedoms.

Miss Kirtley said that because the Pelton trial involves the emotionally charged matter of espionage, Mr. Pelton is in even greater need of full coverage in order to guarantee him a fair trial.